

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FEDERAL DEPOSIT INSURANCE  
CORPORATION, as receiver for the  
BANK OF WHITMAN,

Plaintiff,

v.

SMI GROUP, XV, LLC., a  
Washington limited liability company;  
MICHAEL E. HENRY individually,  
and on behalf of the marital community  
composed of MICHAEL E. HENRY  
and REBECCA W. HENRY, and SMI  
GROUP XVIII, LLC., a Washington  
limited liability company,

Defendants.

NO: CV-12-5056-RMP

ORDER GRANTING MOTION TO  
DISMISS WITH PREJUDICE

**BEFORE** the Court is the parties' Stipulated Motion to Dismiss with  
Prejudice, ECF No. 41. Having reviewed said stipulation and the file and  
pleadings therein, the Court finds good cause to grant the motion. Accordingly,

**IT IS HEREBY ORDERED:**

1 1. Defendant's Stipulated Motion to Dismiss **ECF No. 41**, is **GRANTED**.

2 Plaintiffs' Complaint and any and all counterclaims and/or cross-claims

3 are dismissed with prejudice and without costs to any party.

4 2. All pending motions, if any, are **DENIED AS MOOT**.

5 3. All scheduled court hearings, if any, are **STRICKEN**.

6 The District Court Clerk is directed to enter this Order, enter judgment  
7 accordingly, provide copies to counsel, and **close** this case.

8 **DATED** this 1st day of October 2013.

9  
10 *s/ Rosanna Malouf Peterson*

11 ROSANNA MALOUF PETERSON  
12 Chief United States District Court Judge  
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